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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/592,599	06/12/2000	Dongyan Wang	SAM1.0064	7070
7590	09/22/2004		EXAMINER	NGUYEN, NHON D
KENNETH L. SHERMAN, ESQ. MYERS DAWES ANDRAS & SHERMAN, LLP 19900 MacARTHUR BLVD., 11th FLOOR IRVINE, CA 92612			ART UNIT	PAPER NUMBER
2179				

DATE MAILED: 09/22/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)
	09/592,599	WANG ET AL.
	Examiner Nhon (Gary) D Nguyen	Art Unit 2179

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) Responsive to communication(s) filed on 03 May 2004.
- 2a) This action is **FINAL**. 2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) Claim(s) 1-28 is/are pending in the application.
 - 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) Claim(s) _____ is/are allowed.
- 6) Claim(s) 1-28 is/are rejected.
- 7) Claim(s) _____ is/are objected to.
- 8) Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on _____ is/are: a) accepted or b) objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) All b) Some * c) None of:
 1. Certified copies of the priority documents have been received.
 2. Certified copies of the priority documents have been received in Application No. _____.
 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) Notice of References Cited (PTO-892)
- 2) Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date 09172004.
- 4) Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- 5) Notice of Informal Patent Application (PTO-152)
- 6) Other: _____

DETAILED ACTION

1. This communication is responsive to amendment filed 05/03/2004.
2. Claims 1-28 are pending in this application. Claims 1, 10, and 20 are independent claims.

This action is made final.

Claim Rejections - 35 USC § 102

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

4. Claims 1-3, 6-12, 15-22, and 25-28 are rejected under 35 U.S.C. 102(e) as being anticipated by Takahashi et al. ("Takahashi", US 5,887,193).

As per independent claim 1, Takahashi teaches a method for providing a user interface for controlling devices that are currently connected to a network, the method comprising the steps of:

for at least one of said devices:

obtaining information from one or more of the devices currently connected to the network, wherein each device includes device information for user interaction with that device (col. 17, line 67 – col. 18, line 4); and

generating a user interface description based at least on the obtained information (col. 17, line 57 – col. 18, line 7), the user interface description including a reference associated with the device information in each of said devices currently connected to the network, such that the reference includes at least one electronic link providing direct access from the user interface description to said information contained in said devices currently connected to the network (col. 18, line 8 – col. 20, line 8).

As per claim 2, which is dependent on claim 1, Takahashi teaches the link comprises a pointer from the user interface description to at least the information in a corresponding device (col. 18, line 8 – col. 20, line 8).

As per claim 3, which is dependent on claim 1, Takahashi teaches the steps of generating the user interface description such that the user interface description further includes device data corresponding to each device based on the information obtained from each device (col. 17, line 57 – col. 18, line 7).

As per claim 6, which is dependent on claim 1, Takahashi teaches the device information in each device includes device identification information for that device (col. 34, lines 62-67).

As per claim 7, which is dependent on claim 1, Takahashi teaches the device information in each device includes a user control interface description for user interaction with that device (col. 17, line 62 – col. 18, line 7).

As per claim 8, which is dependent on claim 7, Takahashi teaches the steps of generating the user interface description such that each link in the user interface description provides direct access to at least the user control interface description in each corresponding device (col. 18, line 8 – col. 20, line 8).

As per claim 9, which is dependent on claim 7, Takahashi teaches the steps of generating the user interface description such that the user interface description further includes device data corresponding to each device based on the information obtained from each device, the device data providing an electronic link to the user control interface description in each device, such that when the link is user activated it provides access to control interface description in the corresponding device (col. 17, line 57 – col. 20, line 8).

As per independent claim 10, it is a similar scope to claim 1; therefore, it should be rejected under similar rationale.

As per claim 11, which is dependent on claim 10, it is a similar scope to claim 2; therefore, it should be rejected under similar rationale.

As per claim 12, which is dependent on claim 10, it is a similar scope to claim 3; therefore, it should be rejected under similar rationale.

As per claim 15, which is dependent on claim 10, it is a similar scope to claim 6; therefore, it should be rejected under similar rationale.

As per claim 16, which is dependent on claim 10, it is a similar scope to claim 7; therefore, it should be rejected under similar rationale.

As per claim 17, which is dependent on claim 16, it is a similar scope to claim 8; therefore, it should be rejected under similar rationale.

As per claim 18, which is dependent on claim 16, it is a similar scope to claim 9; therefore, it should be rejected under similar rationale.

As per claim 19, which is dependent on claim 10, Takahashi teaches means for generating at least one user interface by: using each link in a user interface description to access the device information in each corresponding device, and generating the user interface including device data corresponding to each device using the accessed information in each device (col. 17, line 57 – col. 18, line 7 and col. 18, line 8 – col. 20, line 8).

As per independent claim 20, it is a similar scope to claim 1; therefore, it should be rejected under similar rationale.

As per claim 21, which is dependent on claim 20, it is a similar scope to claim 2; therefore, it should be rejected under similar rationale.

As per claim 22, which is dependent on claim 20, it is a similar scope to claim 3; therefore, it should be rejected under similar rationale.

As per claim 25, which is dependent on claim 20, it is a similar scope to claim 6; therefore, it should be rejected under similar rationale.

As per claim 26, which is dependent on claim 20, it is a similar scope to claim 7; therefore, it should be rejected under similar rationale.

As per claim 27, which is dependent on claim 26, it is a similar scope to claim 8; therefore, it should be rejected under similar rationale.

As per claim 28, which is dependent on claim 26, it is a similar scope to claim 9; therefore, it should be rejected under similar rationale.

Claim Rejections - 35 USC § 103

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person

having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

6. Claims 4, 5, 13, 14, 23, and 24 are rejected under 35 U.S.C. 103(a) as being unpatentable over Takahashi in view of Mitani (US #6,466,233).

As per claims 4 and 5, which are both dependent on claim 1, Takahashi does not disclose generating the user interface description further includes the steps of associating a hyper-text link with the device information in each of said devices currently connected to the network, such that each hyper link provides access from the user interface description to the device information in a corresponding device and the information in each device comprises an HTML page for user interaction with and/or control of that device. Mitani discloses hyper-text link HTML pages define sets of user interface functions for multiple devices, connected to a network, that enable user interaction and control of those devices (col. 6, line 4 – col. 7, line 12). It would have been obvious to an artisan at the time of the invention to use the teaching from Mitani of including hyper-text link HTML pages define sets of user interface functions for multiple devices, connected to a network, that enable user interaction and control of those devices in Takahashi's method since hyper-text link HTML pages would allow the devices to be remotely controlled from the Internet via HTTP protocol.

As per claim 13, which is dependent on claim 10, it is a similar scope to claim 4; therefore, it should be rejected under similar rationale.

As per claim 14, which is dependent on claim 10, it is a similar scope to claim 5; therefore, it should be rejected under similar rationale.

As per claim 23, which is dependent on claim 20, it is a similar scope to claim 13; therefore, it should be rejected under similar rationale.

As per claim 24, which is dependent on claim 20, it is a similar scope to claim 14; therefore, it should be rejected under similar rationale.

Response to Arguments

7. Applicant's arguments filed 05/03/2004 have been fully considered but they are not persuasive.

Applicant argued the following:

(a) As per claim 1, the device delegate object does not generate a user interface description that includes at least one reference associated with the device information in each of said devices currently connected to the network.

(b) As per claim 1, Takahashi does not teach the concept of using references in the user interface description, wherein the references provide access to information stored in devices connected to the network.

(c) There is no mention of generating a user interface description, and no mention of a user interface description that includes references back to the information in a corresponding device.

(d) As per claim 2, Takahashi does not teach using a reference in a corresponding user interface description to access the associated information in each device in order to display each user interface.

(e) As per claim 3, Takahashi does not disclose generating the user interface description such that the user interface description further includes device data corresponding to each device based on the information obtained from each device.

(f) As per claim 6, Takahashi does not disclose that the device information in each device includes device identification information.

(g) As per claim 7, Takahashi does not disclose that the device information in each device includes a user control interface description for user interaction with the device.

(h) As per claim 8, Takahashi does not disclose generating the user interface description such that each reference in the user interface description provides direct access to at least the user control interface description in each corresponding device.

(i) As per claim 9, Takahashi does not disclose generating the user interface description such that the user interface description further includes device data corresponding to each device based on the information obtained from each device, the device data providing reference to the user control interface description in each device.

(j) As per claim 19, nowhere in Takahashi is mentioned that the multimedia controller uses link back to information in the multimedia devices to generate user interfaces including device data corresponding to each device using the accessed information in each device.

(k) As per claims 4 and 5, there is motivation or suggestion to combine Takahashi and Mitami.

The Examiner disagrees for the following reasons:

- (a) & (b) Takahashi clearly teaches those features at col. 17, line 64-67 by stating "if a user manipulates the control panel, an appropriate message is sent to a controller object of the multimedia device so that a desired manipulation can be performed".
- (c) Takahashi clearly teaches generating a user interface description as Multimedia Device Delegate Object Description File 1061 of fig. 7, and in order to display a user interface of a multimedia, e.g. fig. 20, a reference must access a class library associated with information in each device via object graphic information such as 254 in fig. 12.
- (d) According to Takahashi, in order to display a user interface of a multimedia, e.g. fig. 20, a reference must access a class library associated with information in each device via object graphic information such as 254 in fig. 12.
- (e) The argument is the same as (d) above.
- (f) Takahashi clearly teaches the device information in each device includes device identification information at col. 34, lines 62-67 by stating "the multimedia controller checks the multimedia devices connected to the system in accordance with the manipulation of a user and assigns identification".
- (g) The argument is the same as the combination of (a), (b), (c) and (d) above.
- (h) The argument is the same as the combination of (a), (b), (c) and (d) above.
- (i) The argument is the same as the combination of (a), (b), (c) and (d) above.
- (j) The argument is the same as the combination of (a) and (b) above.

(k) In response to applicant's argument that there is no suggestion to combine the references, the examiner recognizes that obviousness can only be established by combining or modifying the teachings of the prior art to produce the claimed invention where there is some teaching, suggestion, or motivation to do so found either in the references themselves or in the knowledge generally available to one of ordinary skill in the art. See *In re Fine*, 837 F.2d 1071, 5 USPQ2d 1596 (Fed. Cir. 1988) and *In re Jones*, 958 F.2d 347, 21 USPQ2d 1941 (Fed. Cir. 1992). In this case, both Takahashi and Mitani are in the same field of device controlling; therefore, it would have been obvious to an artisan at the time of the invention to use the teaching from Mitani of including hyper-text link HTML pages define sets of user interface functions for multiple devices, connected to a network, that enable user interaction and control of those devices in Takahashi's method since hyper-text link HTML pages would allow the devices to be remotely controlled from the Internet via HTTP protocol.

Conclusion

8. THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event,

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however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Inquiries

9. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Nhon (Gary) D Nguyen whose telephone number is 703-305-8318 or (571)272-4139 (starting 10/20/2004). The examiner can normally be reached on Monday - Friday with every other Monday off.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Heather R Herndon can be reached on (703)308-5186 or (571)272-4136 (starting 10/20/2004). The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Nhon (Gary) Nguyen
September 17, 2004

BA HUYNH
PRIMARY EXAMINER